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PATENT

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of:

Kutchan et al.

Application No.: 09/937,665

Confirmation No.: 3757

Filing Date: March 24, 2000

Group Art Unit:

For: Codeinone Reductase From Alkaloid Poppy

Examiner:

DATE OF DEPOSIT:

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
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P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

 11/15/04  
TYPED NAME: John W. Harbour  
REGISTRATION NO.: 31,365

Mail Stop Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed on April 4, 2002, which set a One month/day period for reply. The date of abandonment is the day after the expiration date of the period set for reply in the Office Notice or Action plus any extensions of time obtained therefore.

01/28/2004 SLUANG1 00000023 100750 09937665

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**APPLICANT(S) HEREBY PETITIONS FOR THE REVIVAL OF THIS  
APPLICATION**

Petition fee (37 CFR § 1.17m):

Small Business entity - fee **\$665.00**

Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.

Applicant(s) by its/their undersigned attorney claims small entity status under 37 CFR § 1.27 as:

an Independent Inventor

a Small Business Concern

a Nonprofit Organization

Other than a Small Business entity - fee **\$1,330.00**.

Reply and/or fee:

The reply to the above-noted Office Action

in the form of \_\_\_\_\_ was previously filed on \_\_\_\_\_

is enclosed herewith.

Terminal disclaimer with disclaimer fee:

Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer and disclaimer fee (37 CFR § 1.20(d)) disclaiming a period equivalent to the period of abandonment is enclosed herewith. (See PTO/SB/63)

**STATEMENT**

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional.

## Payment of fee(s):

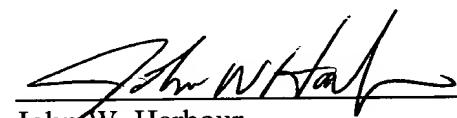
A check in the amount of \$\_\_\_\_\_ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750.

Please charge Deposit Account No. 10-0750/J&J1825/JWH in the amount of \$1330.00. This sheet is attached in duplicate.

The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 10-0750/J&J1825/JWH. This sheet is attached in duplicate.

This Petition is enclosed in duplicate.

Date:



11/15/04

John W. Harbour  
Registration No. 31,365

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